

REMARKS

Status of the Claims

Claims 16 – 21 were allowed in the Final Office Action mailed April 4, 2009.

By this Amendment, claims 1, 11, 12 and 14 have been cancelled. Further, amendments to claims 3 and 22 have been proposed to change their dependency from (now cancelled) claim 1 to (allowed) claim 16.

Claims 2 – 10, 13 and 16 – 22 remain pending. All claims pending in the application are now deemed to be in condition for allowance, which action is earnestly requested.

Interview with Examiner

Applicant sincerely thanks Examiner V. Johnson for the courtesies extended to Applicant's representative, Jeanne M. Tanner, during a brief telephonic interview held October 19, 2009. During the interview, Applicant's representative discussed placing the application in condition for allowance and withdrawing the Appeal. Applicant acknowledges, with appreciation, the Examiner's allowance of claims 16 – 21 in the Final Office Action and the indication that claims 2-10, 13 and 22 would be allowable if amended to depend, directly or indirectly, from claim 16 and if the proposed amendment to claims 3 and 22 do not raise section 112 issues.

Conclusion

The Commissioner is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0733.

Respectfully submitted,

Date: October 19, 2009

/Jeanne M. Tanner/

Jeanne M. Tanner, Reg. No. 45,156
Customer No. 22910

Banner & Witcoff, LTD.
28 State Street, Suite 1800
Boston, MA 02109
Tel. 617-720-9600
jtanner@bannerwitcoff.com